

RTSA POLICY WITH AMENDMENTS

1. Short title and commencement :

(1) These rules may be called the Authorization of Rail Travellers' Service Agents (Amendments) Rules, 1985.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definition

In these rules, unless the context otherwise requires –

(a) "agent" means a person authorized to act as a rail travellers' service agent under rule 4 and shall include an employee of such person to whom an identity card under rule 5(vii) has been issued;

(b) "license" means a license issued under rule 4;

(c) "competent authority" means the Chief Commercial superintendent of the Zonal Railway concerned at stations where the Railway Reservation Offices are directly under his control and in other cases the concerned Divisional Rail Manager or any officer authorized by such Chief Commercial superintendent or such Divisional Rail Manager, as the case may be discharged his functions under these rules; (circular dated 30-7-1987)

(d) "station" means the area within which the main railway station and the reservation booking offices pertaining to a railway are situated such as New Delhi and Old Delhi areas together for Northern Railway, Sealdah and Howrah for Eastern & South Eastern railways, Bombay for Western & Central Railways and Madras for the Southern Railway.

3. Conditions for appointment of an Agent :

(1) A person who is :

(i) In possession of the latest income tax clearance certificate;

(ii) Having office and premises properly maintained with adequate convenience and amenities in the city so as to accommodate the visit of sufficient number of customers and

(iii) Not convicted in a criminal case involving moral turpitude.

may apply for issue of a license under rule 4 to act as an agent.

(2) The fees on payment of which the license shall be issued or renewed shall be Rs.3,000/- and Rs.1,500/- for any additional license for a Railway in the same station. (circular dt. 12-4-1999).

(3) The security deposit on furnishing of which the license shall be issued or renewed shall be Rs.15,000/- in cash and bank guarantee for Rs.40,000/-. There shall be no accrual of interest on the said deposit. (circular dt. 12-4-1999).

(4) The number of agents for each station and Railway shall be such as may be determined by the competent authority.

4. Issue of a license :

(1) An application for issue of a license shall be made to the competent authority in Form I.

(2) On receipt of an application, the competent authority after making such inquiry, if any as it may consider necessary, shall order to issue the license authorizing the applicant to act as a rail travellers' service agent or for reasons to be recorded in writing refuse to issue the same.

(3) If the applicant deposits fee specified in sub-rule (2) of rule 3 and furnishes security deposit under sub-rule (3) of rule 3 within a period of one month from the date on which the competent authority requires him to deposit fee and furnish security, he shall be issued the license in Form II.

(4) If an applicant fails to deposit the fee and furnish the security within the period specified in sub-rule (3), his application shall be deemed to have been rejected.

5. The conditions on which the license may be granted. The license issued under rule 4 shall be subject the following conditions, namely:

(i) The license shall valid for a period of three years from the date of its issue;

(ii) The license shall not be transferable; provided that in case the licensee dies, the license may be transferred to his legal heir(s) for the unexpired period of license, by the competent authority and the said legal heir(s) is/are also eligible to apply for renewal of said license in accordance with the provisions of rule 7 of these rules; (circular dt. 11-12-2001)

(iii) The agent shall not charge more than Rs.25/- per passengers as service charge for securing reservation in classes other than 2nd class and Rs.15/- per passenger in sleeper class. They shall come into force on the date of their publication in the official Gazette i.e. from 21-9-1998; (circular dt. 21-9-1998)

(iv) The agent shall conduct the business himself or through his employee approved by the competent authority for this purpose;

(v) The license and the service charge shall be displayed at a conspicuous place of business;

(vi) A receipt showing money received from his client for purchase of ticket, reservation charges and service charges separately shall be issued by the agent;

(vii) A register showing names, sex, age and address of his employees shall be maintained by the agent.

(viii) An identity card with a photograph countersigned by the competent authority for purchase of ticket and securing reservation shall be issued by the agent to each of his employees;

(ix) The purchase of ticket and securing reservation by the agent shall be on a written request from his client. In case the agent acts on a telephone call, a written request shall be obtained by him from the client before delivering the railway ticket to his client

(x) A register indicating the name, sex, age, address and journey particulars together with ticket number of his clients shall be maintained by the agent;

(xi) A request for reservation by the agent of his employee shall be made on a reservation requisition form indicating the license number and its validity period. The requisition form shall be signed by the agent or his employee and shall be presented with his identity card. Not more than one requisition form shall be presented by the agent or his employee at a time;

(xii) There shall be no canvassing for booking and reservation by the agent or any person on his behalf within the railway premises and within the distance of 100 meters from the railway reservation office;

(xiii) The competent authority or an officer authorized by him shall be allowed access to the premises and records any time during the business hours by the agents who shall render all necessary assistance for inspection;

and

(xiv) No requisition for the purchase of ticket or reservations where round-the-clock counters are functioning shall be entertained from the agent or his employee between the hours of midnight and 7 a.m.

(xv) Zonal Railways shall specify the general working conditions within the framework of these rules; (circular dt. 11-12-2001)

6. Suspension/ Cancellation of the License :

(a) Without prejudice to any other provisions under the Indian Railway Act, 1989 and these rules the competent authority shall have the right to suspend or cancel at any time the license after giving due notice for violation or for any other rule or regulation applicable with regard to purchase of ticket and securing reservation or for any other reason which the competent authority deems to be expedient in the public interest to do so.

In case of suspension of license, the license and identity cards shall be surrendered to the competent authority within seven days of issuance of the order of suspension failing which action shall be initiated to terminate the license;

Provided that no action under this rule shall be taken unless an opportunity to show cause is given to the agent. (circular dt. 11-12-2001).

(b) Any breach of these rules shall also be liable to attract punishment as laid down in section 47(2) of the Indian Railway Act, 1890.

7. Renewal of license :

A licence shall, unless the competent authority for reasons to be recorded in writing otherwise decides in any case be renewable for three years and shall be so renewable from

time to time and the provisions of rule and shall apply to the renewal of the licence as they apply to the grant thereof.

Note : The licenses of RTSAs may be renewed for a full term of three years subject to the condition that as and when the new scheme is implemented it will have immediate effect i.e. RTSAs will have to accept the terms and conditions of the new scheme as and when implemented for the remaining period of their contract failing which their license would lapse from the date of implementation of the new RTSA scheme. (circular dt. 24-4-2006)

8. Utilization of Security deposit :

Where the agent fails to perform the service for his client and refuses to refund the amount charged by him, the competent authority shall in addition to any other action under these rules, utilize the amount of security deposited under sub-rule (3) of rule 3 for refund of the amount charged by the agent from his clients.

9. Appeal :

An appeal shall lie against every order of the competent authority made under these rules to the Central Government. (circular dt. 5-12-1985). This has been modified as under :

(1) An appeal shall be lie against every order of the competent authority made under these rules to the General Manager of the concerned Zonal Railway. (circular dt.30-7-1987

(2) The appeal under sub-rule (1) shall be preferred within thirty days from the days from the date on which the order appealed against is communicated to the appellant.

10. Liability of Railways

The Railway administration shall not be liable for any loss or damage suffered or likely to be suffered by a client on account of any act or omission of the agent.

Note: The existing RTSA scheme is being reviewed hence, all fresh selection is being held back, till the receipt of the revised RTSA Policy.